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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/532,402	03/22/2000	Michael A. Kepler	1631077-0031	8303

7470 7590 12/05/2001

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EXAMINER

LY, ANH

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 12/05/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

116

Office Action Summary

Application No.

09/532,402

Applicant(s)

KEPLER ET AL.

Examiner

Anh Ly

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/22/01
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-35 are pending in this application.

Drawings

2. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-2, 5-8 and 10-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,987,454 issued to Hobbs.

With respect to claim 1, Hobbs discloses A method of updating records in databases query results comprising the steps of: maintaining one or more update databases with a plurality of update records, the update records including at least one indication of whether a record should be excluded from a search result as claimed (see abstract, col. 3, lines 25-38, col. 8, lines 30-52, col. 10, lines 6-30 and col. 3, lines 12-20); searching a database for records responsive to a query and returning database records responsive to the query as claimed (col. 2, lines 25-51, col. 4, lines 1-11); searching an update database associated to the database for records responsive to the query and returning update records responsive to the query as claimed (col. 2, lines 25-51, col. 4, lines 1-11); and excluding from search results database records that correspond to returned update records that include an indication that the record should be excluded from the search as claimed (col. 3, lines 12-20).

Hobbs does not clearly disclose, "a plurality of update records and a record should be excluded from a search result." But, however, Hobbs teaches of a plurality of databases or the records of multiple databases (col. 3, lines 25-38 and col. 10, lines 6-30) and the Internet search engines which provide search results that have multiple "dead -ends," the result of links which are often moved or deleted after the search engines have catalogued them (col. 3, lines 12-20). Therefore, it would have been obvious to one of ordinary skill in the art to employ the teachings of Hobbs of multiple databases and the result of links are often

moved or deleted so as to obtain a method of updating records in databases query results in the searching, accessing and updating databases in the information retrieval management system environment.

With respect to claim 2, Hobbs discloses the step of including in search results an update record that does not include an indication that the record should be excluded from a search as claimed (col. 3, lines 12-20 and col. 6, lines 36-64).

With respect to claim 5, Hobbs discloses the step of identifying one or more update databases associated with a database as claimed see abstract, col. 16, lines 60-67 and col. 17, lines 1-32).

With respect to claim 6, Hobbs discloses the steps of: maintaining a search-routing database, said search-routing database including a plurality of search-routing database records comprising of search-routing database fields, said search-routing database fields including a database-identifier field and one or more database fields; receiving a first query from a user, said first query comprised of fields of data; extracting data from the fields of said first query to form a modified query; searching said search-routing database for records responsive to the modified query, and returning one or more database identifiers; routing the first query to the databases identified by said database identifiers and the update databases associated therewith as claimed (see abstract, col. 1, lines 35-63, col. 2, lines 25-39, col. 3, lines 47-67, col. 4, lines 1-11, col. 5, lines 12-21, col. 10, lines 44-67, col. 14, lines 46-67, col. 15, lines 1-28, col. 16, lines 60-67, col. 20, lines 36-67, col. 21, lines 56-67 and col. 22, lines 1-30).

With respect to claim 7, Hobbs discloses a plurality of databases, said databases including database records having database fields; one or more update databases, said update databases including update records having update database fields, at least one of the update database fields indicating how to update a record retrieved in a search; a search engine for searching one or more of the databases for records responsive to a query and returning database records responsive to the query; a search engine for searching one or more update databases associated to the databases for update records responsive to the query and returning update records responsive to the query; and a sorter for generating the results from the search of the one or more of the database and update databases, the sorter excluding from the results records that correspond to update records that include an indication that the record should be excluded from the search as claimed (see abstract, col. 1, lines 35-63, col. 2, lines 52-67, col. 3, lines 25-38, col. 8, lines 30-52, col. 10, lines 6-67 and col. 16, lines 60-67, and col. 3, lines 12-20; col. 2, lines 25-51, col. 4, lines 1-11; col. 2, lines 25-51, col. 4, lines 1-11; col. 3, lines 12-20 and col. 3, lines 50-65).

Hobbs does not clearly disclose, "a plurality of update records and a record should be excluded from a search result." But, however, Hobbs teaches of a plurality of databases or the records of multiple databases (col. 3, lines 25-38 and col. 10, lines 6-30) and the Internet search engines which provide search results that have multiple "dead -ends," the result of links which are often moved or deleted after the search engines have catalogued them (col. 3, lines 12-20). Therefore, it would have been obvious to one of ordinary skill in the art to employ

the teachings of Hobbs of multiple databases and the result of links are often moved or deleted so as to obtain a method of updating records in databases query results in the searching, accessing and updating databases in the information retrieval management system environment.

With respect to claim 8, Hobbs discloses the sorter includes in the results update records that do not indicate that the record should be excluded from the search as claimed (col. 3, lines 12-20 and lines 50-65 and col. 6, lines 36-64).

With respect to claim 10, Hobbs discloses a search-routing database, said search-routing database including search-routing database records comprised of search-routing database fields, said search routing database fields including a database-identifier field and one or more of said database fields, an input device for obtaining a first query from a user, said first query comprised of fields of data; a search router for receiving the first query and forming a modified query, said modified query comprising a subset of the fields of data contained in the first query; a search engine for searching said search-routing database for records responsive to the modified query and returning one or more database identifiers, said database identifiers identifying one or more target databases as claimed (col. 5, lines 12-21, col. 14, lines 46-67, col. 15, lines 1-28 and col. 21, lines 54-67 and col. 22, lines 1-30; col. 16, lines 60-67, col. 17, lines 1-32, col. 22, lines 65-67, col. 23, lines 1-50 and col. 24, lines 23-51).

With respect to claim 11, Hobbs discloses a table for identifying one or more update databases associated with one or more target databases as

claimed (col. 16, lines 60-67, col. 17, lines 1-32, col. 22, lines 65-67, col. 23, lines 1-50 and col. 24, lines 23-51).

With respect to claim 12, Hobbs discloses receiving a search request at a first server, the first server having one or more databases accessible for searching; determining whether the search request should be routed to the one or more databases accessible by the first server or to a second server, the second server having one or more databases accessible for searching; when the search request is determined that it should be routed to the one or more databases accessible by the first server, routing the search request to the one or more databases accessible by the first server and searching the one or more databases and returning the results of the search; otherwise routing the search request to a second server as claimed (col. 5, lines 1-11, col. 10, lines 6-67; col. 1, lines 35-67, col. 2, lines 25-51, col. 16, lines 60-67 and col. 17, lines 1-32).

With respect to claim 13, Hobbs discloses analyzing the search request to identify one or more items of routing data as claimed (col. 16, lines 60-67, and col. 17, lines 1-32).

With respect to claim 14, Hobbs discloses searching a routing database with the identified one or more items of routing data to identify one or more databases to which the search request should be routed as claimed (col. 16, lines 60-67, col. 17, lines 1-32, col. 22, lines 65-67 and col. 23, lines 1-50).

With respect to claim 15, Hobbs discloses wherein the second server is remotely located from the first server (col. 5, lines 1-11, col. 10, lines 6-67).

With respect to claim 16, Hobbs discloses wherein the step of routing the search request to the one or more databases further includes the step of routing the search request to an update database having a plurality of records updating one or more of the database (col. 1, lines 35-67, col. 2, lines 25-51, col. 16, lines 60-67, col. 17, lines 1-32, col. 22, lines 65-67 and col. 23, lines 1-50).

With respect to claim 17, Hobbs discloses the step of merging the search results returned from the one or more databases with the search results returned from the update database (col. 1, lines 35-67, see abstract, col. 2, lines 25-39, col. 3, lines 47-67, col. 4, lines 1-11, col. 16, lines 60-67 and col. 17, lines 1-32).

With respect to claim 18, Hobbs discloses the step of routing the search request by the second server to the one or more databases accessible by the second server (col. 5, lines 1-11 and col. 10, lines 6-67).

With respect to claim 19, Hobbs discloses the step of returning to the first server the results of the search obtained as a result of the routing of the search request by the second server to the one or more databases accessible by the second server (col. 5, lines 1-11 and col. 10, lines 6-67, col. 20, lines 30-67, col. 21, lines 54-67 and col. 22, lines 1-30).

Claim 20 is essentially the same as claim 12 except that it is directed to a system for routing search requests rather than a method (col. 5, lines 1-11, col. 10, lines 6-67, col. 1, lines 35-67, col. 2, lines 25-51, col. 16, lines 60-67 and col. 17, lines 1-32), and is rejected for the same reason as applied to the claim 12 hereinabove.

With respect to claim 23, Hobbs discloses wherein the second server is remotely located from the first server (col. 13, lines 66-67 and col. 14, lines 1-24).

With respect to claim 26, Hobbs discloses an update database having a plurality of records updating one or more of the database (see abstract, col. 1, lines 35-62, col. 10, lines 31-67, col. 16, lines 60-67 and col. 17, lines 1-32).

With respect to claim 27, Hobbs discloses the search request to the update database in addition to the one or more databases (col. 1, lines 35-62, col. 10, lines 31-67, col. 16, lines 60-67 and col. 17, lines 1-32).

With respect to claim 28, Hobbs discloses the first proxy servers merges the search results returned from the one or more databases with the search results returned from the update database (col. 10, lines 31-67, col. 13, lines 54-67, col. 14, lines 1-67 and col. 15, lines 1-28).

6. Claims 3-4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,987,454 issued to Hobbs in view of US Patent No. 6,243,715 issued to Bogantz et al. (hereinafter Bogantz).

With respect to claim 3, Hobbs discloses the method for updating records in databases query results as discussed in claim 1.

Hobbs does not explicitly indicate, "wherein the at least one indication of whether a record should be excluded from a search comprises an at least one field of the update record capable of being set to at least one predefined value."

However, Bogantz discloses the selected database to update the record with the update data (see abstract, col. 3, lines 5-56, col. 6, lines 66-67 and col. 7, lines 1-61).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hobbs with the teachings of Bogantz so as to obtain a step of having at least one indication for excluding a record from a search because the combination would have a method for updating records in database system (Bogantz – col. 2, lines 28-61) in the information retrieval management system environment.

With respect to claim 4, Hobbs discloses the method for updating records in databases query results as discussed in claim 1.

Hobbs does not explicitly indicate, “wherein records and update records include a plurality of fields and records and update records correspond when the fields of a record are substantially similar to the fields of an update record.”

However, Davis discloses the field of update record as claimed (see abstract, col. 3, lines 5-56, col. 6, lines 66-67 and col. 7, lines 1-61).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hobbs with the teachings of Bogantz so as to obtain a step of having at least one indication for excluding a record from a search because the combination would have a method for updating records in database system (Bogantz – col. 2, lines 28-61) in the information retrieval management system environment.

With respect to claim 9, Hobbs discloses the system for updating records in databases query results as discussed in claim 7.

Hobbs does not explicitly indicate, "wherein records and update records correspond when the fields of a record are substantially similar to the fields of an update record."

However, Bogantz discloses the field of update record as claimed (see abstract, col. 3, lines 5-56, col. 6, lines 66-67 and col. 7, lines 1-61).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hobbs with the teachings of Bogantz so as to obtain a step of having at least one indication for excluding a record from a search because the combination would have a method for updating records in database system (Bogantz – col. 2, lines 28-61) in the information retrieval management system environment.

7. Claims 21-22 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,987,454 issued to Hobbs in view of US Patent No. 5,826,261 issued to Spencer.

With respect to claims 21-22, Hobbs discloses the system for routing search requests as discussed in claim 20.

Hobbs does not explicitly indicate, "a routing database."

However, Spencer discloses a router to the databases (col. 12, lines 21-67 and col. 18, lines 8-29

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hobbs with the teachings of Spencer so as to have a system for routing search requests because the combination would provide the information retrieval from multiple databases having the control over the degree of accuracy of search results (Spencer – col. 3, lines 6-40) in the information retrieval management system environment.

With respect to claims 24-25, Hobbs discloses the system for routing search requests as discussed in claim 20, also Hobbs discloses the second server (col. 10, lines 5-67).

Hobbs does not explicitly indicate, “routes the search request to the one or more databases accessible by the second server.”

However, Spencer discloses a router to the databases (col. 12, lines 21-67 and col. 18, lines 8-29)

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hobbs with the teachings of Spencer so as to have a system for routing search requests because the combination would provide the information retrieval from multiple databases having the control over the degree of accuracy of search results (Spencer – col. 3, lines 6-40) in the information retrieval management system environment.

8. Claims 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,826,261 issued to Spencer in view of US Patent No. 5,987,454 issued to Hobbs.

With respect to claim 29, Spencer discloses a routing database identifying one or more databases that are appropriate to search; establishing one or more default routes that are appropriate to search; searching the routing database to determine routes to one or more databases that are appropriate to search; if the search of the routing database is successful, routing the search request to a database identified by the routing database; and in other instances, routing the search request to a database identified by one or more default routes (col. 12, lines 21-32, col. 18, lines 8-29 and col. 18, lines 30-61).

Spencer does not explicitly indicate, "one or more databases that are appropriate to search in response to a search request."

However, Hobbs discloses the search query as search request (col. 1, lines 35-62, col. 2, lines 25-39 and col. 19, lines 5-39).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Spencer with the teachings of Hobbs so as to obtain a method of routing search requests because the combination would provide the information retrieval from multiple databases having the control over the degree of accuracy of search results (Spencer – col. 3, lines 6-40) in the information retrieval management system environment.

With respect to claims 30-33, Spencer discloses the method of routing search requests as discussed in claim 29.

Spencer does not explicitly indicate, "search request."

However, Hobbs discloses the search queries as search requests (col. 1, lines 35-62, col. 2, lines 25-39, col. 3, lines 47-67 and col. 4, lines 1-11 and col. 19, lines 5-39).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Spencer with the teachings of Hobbs so as to obtain a method of routing search requests because the combination would provide the information retrieval from multiple databases having the control over the degree of accuracy of search results (Spencer — col. 3, lines 6-40) in the information retrieval management system environment.

With respect to claim 34, Spencer discloses a field that is used for routing but the field is empty (col. 12, lines 36-48).

With respect to claim 35, Spencer discloses a field that is used for routing but the data populating the field does not correspond to any entries in the routing database (col. 12, lines 36-67 and col. 13, lines 1-29).

Contact Information

9. Any inquiry concerning this communication should be directed to Anh Ly whose

telephone number is (703) 306-4527. The examiner can be reached on Monday - Friday

from 8:00 AM to 4:00 PM.

If attempts to reach the examiner are unsuccessful, see the examiner's supervisor, Kim Vu, can be reached on (703) 305-4393.

Any response to this action should be mailed to:

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or faxed to:

(703) 746-7238 (after Final Communication)

or:

(703) 746-7239 (for formal communications intended for entry)

or:

(703) 746-7240 (for informal or draft communications, or Customer Service

Center, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington, VA, Fourth Floor (receptionist).

Inquiries of a general nature or relating to the status of this application should be

directed to the Group receptionist whose telephone number is (703) 305-3900.

AL

Nov. 31st, 2001.

Alford W. Kindred
afw w kindred